

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Szymanski
TITLE : WOOD CUTTING SAW CHAIN
AND REPLACEABLE CUTTING
MEMBERS
APPLICATION NO. : 10/780,323
FILED : February 17, 2004
CONFIRMATION NO. : 1107
EXAMINER : Dexter, Clark F.
ART UNIT : 3724
LAST OFFICE ACTION : February 6, 2008
ATTORNEY DOCKET NO. : INDI 2 00002

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **February 6, 2008** finally rejecting claims 1-3, 5-10, 12-16, 18-20, 23 and 24.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ Applicant claims small entity status.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ small entity \$255.00

3. **EXTENSION OF TERM**

☒ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a three-month extension of time up to and including August 6, 2008 in which to file the accompanying Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card via EFS web. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee:	<u>\$255.00</u>
Extension of Time Fee:	<u>\$525.00</u>

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.


Respectfully submitted,

Fay Sharpe LLP

August 6, 2008
Date



Scott A. McCollister, Reg. No. 33,961
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Seventh Floor
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216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/>	deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
<input checked="" type="checkbox"/>	transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.
Express Mail Label No.:	Signature: 
Date: August 6, 2008	Name: Roseanne Giuliani